

ARGUMENT AGAINST PROPOSITION 83

Proposition 83 would cost taxpayers an estimated \$500 million but would not increase our children's safety. Instead, by diluting law enforcement resources, the initiative would actually reduce most children's security while increasing the danger for those most at risk:

—First, the initiative proposes to “monitor” every registered sex offender, on the misguided theory that each is likely to reoffend against “strangers.” But law enforcement experience shows that when sex registrants reoffend, their targets are *usually members of their own household. This Proposition would do nothing to safeguard children in their own homes, even though they are most at risk.*

—Second, the Proposition would not focus on the real problem—dangerous sex offenders—but would instead waste limited resources tracking persons who pose no risk. *The new law would create an expensive tracking system for thousands of registrants who were convicted of minor, nonviolent offenses, perhaps years or decades ago.* Law enforcement's resources should be directed toward high risk individuals living in our neighborhoods.

Proposition 83 would have other dangerous, unintended consequences. The Proposition's monitoring provisions would be least effective against those posing the greatest danger. Obviously, dangerous offenders would be the least likely to comply, so the proposed law would push the more serious offenders underground, where they would be *less effectively monitored by police.* In addition, by prohibiting sex offenders from living within 2,000 feet of a park or school, the initiative would force many offenders from urban to rural areas with smaller police forces. *A high concentration of sex offenders in rural neighborhoods will not serve public safety.*

Prosecutors in the State of Iowa know from sad experience that this type of residency restriction does not work. In 2001, Iowa adopted a similar law, but the association of county prosecutors that once advocated for that law now say that it “*does not provide the protection that was originally intended and that the cost of enforcing the requirement and unintended effects on families of offenders warrant replacing the restriction with more effective protective measures.*” (February 14, 2006, “Statement on Sex Offender Residency Restrictions in Iowa,” Iowa County Attorneys Association.) (To see the full Statement, go to: www.iowa-icaa.com/index.htm or www.cacj.org.)

A summary of the Iowa prosecutors' findings shows why the Iowa law was a disaster and why Proposition 83 must be rejected:

- Residency restrictions do not reduce sex offenses against children or improve children's safety.
- Residency restrictions will not be effective against 80 to 90% of sex crimes against children, because those crimes are committed by a relative or acquaintance of the child.
- Residency restrictions cause sex registrants to disappear from the registration system, harming the interest of public safety.
- Enforcing the residency restrictions is expensive and ineffective.
- The law also caused unwarranted disruption to the innocent families of ex-offenders.

For all of these reasons, vote “No” on Proposition 83!

CARLEEN R. ARLIDGE, President
California Attorneys for Criminal Justice

83

REBUTTAL TO ARGUMENT AGAINST PROPOSITION 83

Don't be fooled by the false arguments the group of lawyers against Proposition 83 is making. They represent criminal defense attorneys who make their living defending criminals. Of course they don't want tougher laws!

Let's consider the FACTS:

- EVERY major POLICE, SHERIFF, and DISTRICT ATTORNEY organization in California strongly supports Jessica's Law.
- EVERY major CRIME VICTIM organization in California strongly supports Jessica's Law.
- Thousands of dangerous sexual predators are living in our communities and neighborhoods, and police do not have the tools they need to track them down.
- Jessica's Law will KEEP TRACK OF FELONY SEX OFFENDERS after their release from prison by requiring them to wear a GPS tracking device at all times.
- Jessica's Law will STOP dangerous sex offenders from living near schools and parks where they can stalk and prey on our children.

Your YES vote on Proposition 83—Jessica's Law—will

give law enforcement the tools they need to stop sexual predators before they strike again.

The man who confessed to murdering nine-year-old Jessica Lunsford was a convicted sex offender who failed to register with local police. He took Jessica from her bedroom window, assaulted her for three days, and buried her alive only a few doors from her home.

GPS MONITORING COULD HAVE SAVED JESSICA'S LIFE! Tragically, it's too late to save Jessica Lunsford. But it's not too late to prevent countless other children from being attacked and murdered by sexual predators.

Vote YES on 83—Jessica's Law.

MONTY HOLDEN, Executive Director
California Organization of Police and Sheriffs (COPS)

STEVE IPSEN, President
California Deputy District Attorneys Association

SHERIFF GARY PENROD, President
California State Sheriffs Association